

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**ASRIEALE HASSEL
ADC #711833**

PLAINTIFF

V.

CASE NO. 5:14-CV-217 JLH/BD

BERNARD WILLIAMS, et al.

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedures for Filing Objections:

This Recommended Disposition (“Recommendation”) has been sent to United States District Judge J. Leon Holmes. Any party may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Holmes can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail your objections to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Discussion:

Asrieale Hassel, an Arkansas Department of Correction (“ADC”) inmate housed at the McPherson Unit, filed this lawsuit pro se under 42 U.S.C. § 1983, claiming that Defendants violated her eighth amendment rights, as well as the Americans with Disabilities Act (“ADA”). Previously, the Court dismissed Ms. Hassel’s ADA claim, as well as her claims against Defendants Hobbs, Naylor, Dixon, Faust, Harris, and Kelley. (Docket entries #19, #28)

Now pending is Defendant Williams’s motion to dismiss. (Docket entry #25) Ms. Hassel has not responded to the motion, and the time for responding has passed. The Court recommends that Defendant Williams’s motion to dismiss (#25) be GRANTED, and that Ms. Hassel’s claims against Defendant Williams be DISMISSED, without prejudice.

Ms. Hassel identifies Defendant Williams as the “medical Administrator of *Access Corrections*” at the ADC. (#1 at p.2) She does not specifically attribute any unconstitutional conduct to Defendant Williams in the body of her complaint.

Clemmons v. Armontrout, 477 F.3d 962, 967 (8th Cir. 2007)(“Liability under section 1983 requires a causal link to, and direct responsibility for, the deprivation of rights. To

establish personal liability of the supervisory defendants, [the plaintiff] must allege specific facts of personal involvement in, or direct responsibility for, a deprivation of his constitutional rights”) (internal quotation marks and citation omitted). Although Defendant Williams responded to one of Ms. Hassel’s grievances, participation in the grievance process is insufficient to establish liability under § 1983. (#1 at p.8) *Rowe v. Norris*, 198 Fed. Appx. 579, *1 (8th Cir. 2006) (unpublished) (per curiam). Moreover, according to Ms. Hassel’s grievance papers, Defendant Williams informed Ms. Hassel that she could go the medical department to shower and use the restroom. (#1 at p.9) Accordingly, Ms. Hassel has failed to state a deliberate-indifference claim against Defendant Williams.

III. Conclusion:

The Court recommends that Defendant Williams’s motion to dismiss (#25) be GRANTED, and that Ms. Hassel’s claims against Defendant Williams be DISMISSED, without prejudice.

DATED this 2nd day of September, 2014.



UNITED STATES MAGISTRATE JUDGE